

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

<b>In re:</b>  <b>CIRCUIT CITY STORES, INC.,</b>  <p style="text-align: center;"><b>Debtor.</b></p>	) ) ) ) ) )	<b>Case No. 08-35653</b>  <b>Chapter 11</b>
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**DECLARATION OF BRITTANY MAHER IN SUPPORT OF  
RESPONSE OF ORIX CAPITAL MARKETS, LLC, TO THE LIQUIDATING TRUST’S  
NINTH OMNIBUS OBJECTION TO LANDLORD CLAIMS (REDUCTION OF  
CERTAIN PARTIALLY INVALID CLAIMS, RECLASSIFICATION OF CERTAIN  
MISCLASSIFIED CLAIMS, DISALLOWANCE OF CERTAIN LATE FILED CLAIMS  
AND DISALLOWANCE OF CERTAIN AMENDED CLAIMS)  
(Claim No. 14244)**

The undersigned, having been duly sworn, states as follows:

1. I am over eighteen (18) years of age.
2. I have personal knowledge of and am competent to testify as to each of the matters set forth herein.
3. I am an asset manager for ORIX Capital Markets, LLC (“ORIX”). ORIX is the special servicer for a trust fund, the beneficial ownership of which is evidenced by various classes of mortgage pass-through certificates known as the Asset Securitization Corporation, Commercial Mortgage Pass-Through Certificates Series 1997 D-5.
4. I have reviewed the payment records maintained by ORIX in connection with real property located at 5800 Carlisle Pike, Mechanicsburg, Pennsylvania. This property is also known as Store No. 3720 (Hampden, PA).

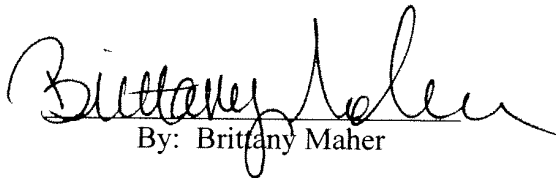
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*Counsel for ORIX Capital Markets, LLC*

5. Based upon my review of ORIX's payment records, the amounts asserted by ORIX in Claim No. 14244 are accurate.

I DECLARE under the penalty of perjury under 28 U.S.C. §1746 that the contents of the foregoing affidavit are, to the best of my ability and knowledge, true and correct.

Dated: June 2, 2011

  
By: Brittany Maher